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VOL. CVII. NEW SERIES—NO. 18,893.

LOUISVILLE, MONDAY MORNING, JANUARY 14, 1907.—10 PAGES.

PRICE THREE CENTS. (ON TRAINS FIVE CENTS.)

The Weather.

Forecast for Monday and Tuesday:
Kentucky—Rain Monday, colder in extreme west portion; Tuesday, rain in east, rain or snow in west portion; colder.
Indiana—Rain in south, rain or snow in north portion Monday; Tuesday colder; probably snow or rain in south portion.
Tennessee—Cloudy Monday; rain in west portion; Tuesday rain in east, rain or snow in west portion; colder.

THE LATEST.

Some of the time of the Senate and most of the time of the House during the present week will be devoted to the discussion of appropriation bills. The Senate will conclude its consideration of the Legislative, Executive and Judicial Appropriation Bills and may reach the Indian Bill. The House will finish its work on the Fortifications Bill and will in turn take up the bill making appropriations for the District of Columbia and the Diplomatic and Consular service.

What may prove to be an unusually sensational murder trial is scheduled to begin in New York next Thursday when Louise De Massey is called to answer for the murder of Gustav Simon, a shirt waist manufacturer, by whom she had been employed as a designer.

The United Mine Workers of America will hold their annual convention at Indianapolis, beginning to-morrow. According to Secretary W. B. Wilson, members of the organization throughout the country are prospering and nothing of a sensational nature is expected to come up at the gathering.

A cold wave of intensity has followed in the wake of a heavy snow storm in Montana and North Dakota. Thermometer readings at a number of points are considerably below zero, the coldest in the United States being Havre, Mont., where 22 below was registered.

Efforts are being made by unsuccessful bidders to beat W. J. Oliver out of the contract for the digging of the Panama canal, on technicalities. Knoxville is preparing to give Oliver a monster banquet, to include leading men of the whole South.

An important National convention for the extension of foreign commerce will be held in Washington this week. President Roosevelt is expected to address the convention on Wednesday evening and Secretary Root also probably will take part.

Judge William Carnes, who presided in the Hargis cases at Jackson, will be practically placed on trial before the Court of Appeals to-morrow, when he will answer the writ requiring him to discontinue the hearing in the lower court.

Train No. 90 on the Rock Island, which was in a crash in Kansas January 2, in which thirty-two perished, ran into an open switch in New Mexico early yesterday. Five persons were killed and eight injured.

A special from Oklahoma says that President Roosevelt may refuse to proclaim the Constitution of the new State on account of a proposed clause for the separation of whites and negroes.

The Fiscal Court of McCracken county intends to spend \$150,000 in improving the roads of the county, if it is found that the county has authority to borrow money.

A large number of railroad officials have been summoned to appear at the reopening of the investigation of the Baltimore and Ohio wreck at Woodville, Ind., Nov. 12, 1906.

Preparations have been completed for the suit of the State of Illinois against the Illinois Central. An accounting will be asked and the case will be heard in February.

The Pope took occasion yesterday, when receiving the students of the American College at Rome, to speak emphatically of the church troubles in France.

There was a gigantic anti-clerical demonstration at Bilbao, Spain yesterday and a similar manifestation at San Sebastian, where 30,000 persons paraded about the town.

A plenary council of the French Bishops to discuss the situation of the church in France has been summoned to meet January 15 at the Chateau de La Muette in Paris.

Laughingly simulating an attempt at suicide because a young woman said she did not love him, Herbert Price killed himself with a gun he did not know was loaded.

Secretary Root will leave Washington January 17 for Ottawa, Canada, where he will be the guest of Gov. Gen. Grey.

The year just brought to a close was a banner one in the history of industrial activity according to experts at Washington.

Democratic insurgents in the House have failed again to get a man to oppose John Sharp Williams as leader of the minority.

A woman who is said to have been concerned in a number of crimes has been arrested in New York on the charge of being a horse thief.

SOMETHING ABOUT JUDGE CARNES, ON TRIAL BY COURT OF APPEALS

Unknown Lawyer Except In His Home Town.

Changes Politics and Runs For Office.

Selected To Try Most Important Criminal Case.

Acts As Special Judge in Other Actions.

NAMED BY GOV. BECKHAM.

Williamstown, Ky., Jan. 13.—[Special.]—"Who is Judge Carnes?"

"He is the man selected by Gov. Beckham, from the bar of Kentucky, noted for his jurisprudence and attorneys, as the one right man to try Judge James Hargis; the most important case in Kentucky and a case which has attracted national attention because of its effect on the State. Judge Carnes now is on trial before the Court of Appeals under a writ prohibiting him from continuing with the case."

"Yes, but who is Judge Carnes?" Judge William Carnes, of Williams town; attorney at the bar for the last thirty years, practicing in the State Courts in Grant county and in the Sixth congressional district. Ex-Republican, ex-Blackburn and ex-McCreary man, now a warm and close supporter of Gov. J. C. W. Beckham. Two men were talking in a seat on a Queen and Crescent train, out of Cincinnati last night. One of them was a traveling man whose territory is in Kentucky. The other man lived in Williamstown. The two began talking about the Hargis trial at Jackson and the traveling man put the original inquiry.

Much-Asked Question.

Who is Judge William Carnes? Probably no question has been asked often during the last week, and in the main the inquiry went unanswered. Kentucky has been interested in the Hargis trials and wanted to know who was the trial Judge, selected by Gov. Beckham, and what his record was. The inquiry came from all sides and met with only one response: "I don't know."

To answer this question which has been so persistently asked during the last few days, the Courier-Journal correspondent came to Williamstown yesterday, arriving on the same train with the man from Williamstown and the drummer. He heard their conversation and after the drummer had left the train, pursued the inquiry further with the man from Williamstown. Further inquiry after reaching Williamstown developed some facts which had not been known before outside of Williamstown.

"A prophet is not without honor save in his own country," and this applies equally as well to special Judges, appointed by Gov. Beckham to try Hargis and others. Ask a citizen of Williamstown, "Who is Judge Carnes," and he will reply:

Just "Bill" Carnes.

"Bill Carnes? Why, he is a lawyer and a pretty sharp one, too. He was sure tickled when he was appointed to try that Hargis case, but the boys will rag him some now, and I expect he will come back home at night, when he does come, for the boys will have some fun with him."

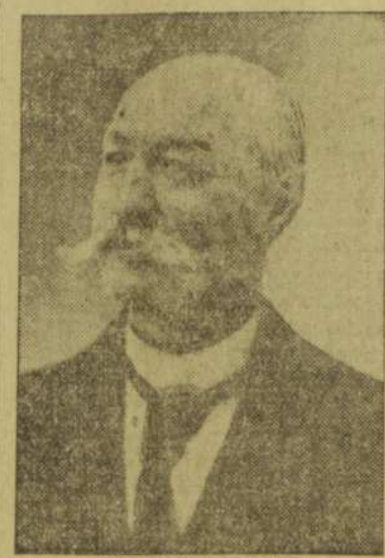
Judge Carnes, as he is now called in Williamstown, is well-liked by nearly everybody and he is the most important and main topic of conversation just now. One hears of Judge Carnes on all sides, and whenever a bunch of men is seen together, it is certain that Judge Carnes is the topic of the talk.

William Carnes was born in the Mt. Zion neighborhood of Grant county July 15, 1849. His father was a lawyer and also a distiller. He had a farm, and on this farm William Carnes was reared. The young man had no schooling except what little he picked up at a country schoolhouse.

William Carnes' father was an officer in the Federal army. His son was a Republican until 1885, when he announced himself as a supporter of Cleveland. Since that time he has been a Democrat. He gives as a reason for his change of politics that he agreed with Cleveland in the tariff message which the then President sent to Congress.

Candidate for Office.

Since then Judge Carnes has been a candidate for office. He has run for County Judge twice, once for Commonwealth's Attorney, and once was elected County Attorney. He has run for office between cases, and has been a frequent candidate, although never but once successful. Grant county is a Democratic county. The Democrats



WILLIAM CARNES.

BREATHITT NEWS DENOUNCES GOVERNOR

SAYS HARGIS TRIAL EXCEEDS EVERYTHING, AND CALLS IT FARCE.

Jackson, Ky., Jan. 13.—[Special.]—The Breathitt News, published in Jackson, has the following regarding the Hargis trial:

"The people of Breathitt county have suffered many indignities at the hands of Beckham and his henchmen during the past week, but the farce that has been enacted here during the past week in the name of a court, has, we think, far exceeded anything that has ever happened in Kentucky, or any other civilized country."

"Such things as have happened here during this week under the guise of a court of justice cannot properly be described in print. In our limited experience and observation this is the first court we have ever seen where the Commonwealth had absolutely no rights at all. We do not think that if the history of Kentucky any instance can be found where a Commonwealth's Attorney was refused the right to have an indictment that he had written quashed when he stated to the court that the indictment did not conform to the facts of the case as presented."

The law is plain that the jury panels shall be drawn from the jury wheel of Breathitt county, and that he found to be done and declared that he would have a jury selected from bystanders, and then removed the Sheriff, whom the people of this county elected, without sufficient cause being shown for his removal, and declared that he himself would appoint a special jury to summon the jury, and announced that he did not know any of the people of Breathitt county, and that he found that the people were divided and everybody lined up on one side or the other."

All these things and more were done over the vigorous protests of the Commonwealth's Attorney and his counsel. Other indignities might have been committed had not the court been stopped in its mad career by a writ of prohibition issued by the Court of Appeals to the Commonwealth's Attorney to appear at Frankfort next Tuesday to give an account of his actions. Our people are as law abiding and as good citizens as any in the State, yet this court refused to do what they have endured more under the forms of law than any other people would have stood for. Such proceedings as have been enacted here this week and on other occasions, under the forms of law, tend to make our people lose respect for the courts where they wish to go for and have a right to expect redress for grievances."

Our people do not want anybody persecuted or any innocent man punished. All they want is that justice be done—that and nothing more."

ENGINEER FELT TRACK COLLAPSING UNDER HIM.

Wheeling, W. Va., Jan. 13.—Early this morning a tremendous slip occurred on the main line of the Wabash railroad on the West Virginia side of the Ohio river at the bridge opposite Mingo Junction. It will put the road out of commission for several days.

Just as the slip started a westbound freight train was passing on the bridge. Engineer McCabe felt the track collapse and he opened the throttle. The caboose and six freight cars were demolished.

have carried this county in all elections by majorities ranging from 200 to 500. When Senator J. C. S. Blackburn made his race for re-election, Judge Payne was his nominal opponent. Judge Payne was a firm supporter of the Senator. Grant county was a seat of war in those days. The Payne-Administration forces had selected Dr. Scott to be the representative from that county. The Blackburn side wanted a man to run against him, in the interests of the Senator. Carnes was suggested as the man to beat Dr. Scott. He did not accept the place.

Several weeks before the race Carnes surprised Williamstown by announcing as a supporter of Dr. Scott and Judge Payne. Presumably he voted for Dr. Scott, who was elected.

Judge Carnes was originally for Senator McCreary, who had been his friend. Early in the campaign between Gov. Beckham and Senator McCreary Carnes came out for the Governor and began working for him. He was laughed at as the only Beckham man in Grant county, but it developed there were others, as the race finally was close between the candidates. Judge Carnes rose to the top as a Beckham man, who stood by him in time of need.

Though not a man of education, Judge Carnes wins cases. His practice is what might be called "general," and none of his cases are of vast importance.

When he gets back he will be a different man from the William Carnes who left only a short time ago. Then he was William Carnes, lawyer, obscure and unknown outside of a small area. Now he is Judge Carnes, the man who ruled at Jackson, in the Hargis case, and barely escaped being shot down, while on the bench.

Ordered to Appear Before Highest Body

To Explain Rulings in Hargis Trial.

Unprecedented Action in Criminal Trials.

Oral Testimony May Be Given By Witnesses.

POSTPONEMENT PROBABLE.

Frankfort, Ky., Jan. 13.—[Special.]—Removed from the courtroom while actually engaged in the trial of the case by process from the highest court in the State, Judge William Carnes has been summoned to Frankfort and on Tuesday will be put on trial before the Court of Appeals, and now practically stands charged with misuse of his power as Judge of a Criminal Court.

Unprecedented in criminal actions, the writ issued by the Court of Appeals, coming at the time it did and in a case which has already attracted the attention of the entire country, forms an important chapter in the court record of Kentucky and establishes the record for the authority of the Court of Appeals.

Never before has a Judge of a Criminal Court been brought before the Court of Appeals to answer for his rulings in any case. Many times the Court of Appeals has said to a Judge of a lower court that he erred in one or more of his rulings and some Judges have been warmly criticised for certain decisions and rulings, but these Judges have simply been directed to change these rulings.

New Procedure by Court.

But not one of them has been ordered to come to Frankfort to answer in person to the Court of Appeals as Judge Carnes has been and never before has the highest court stopped the trial of a criminal case because of rulings made by the trial Judge.

In effect, Judge Carnes will be on trial before the Court of Appeals when he answers the writ of prohibition here to-morrow. He stands charged by the attorneys for the Commonwealth with a flagrant violation of the rules of law, with favoritism and with such general conduct as to eliminate any chance of a fair trial for the Commonwealth. These charges the Court of Appeals has consented to hear, and in order to hear them in the presence of the defendant has ordered Judge Carnes to come before the full court to show why his rulings were not fair.

May Postpone Hearing.

The hearing before the Court of Appeals may not be held to-morrow, as preparations are being made to produce witnesses, and some witnesses have already been summoned to appear in Frankfort to-morrow for the hearing. If it is decided by the court to admit oral testimony the hearing will be adjourned until later in the week in order to give both sides an opportunity to get their witnesses ready.

Lawyers Avoid Breathitt.

"Speak to the average Kentucky lawyer having the qualifications of a Circuit Judge about appointing him to preside over the Breathitt Circuit Court in a case and he will thank you profusely for the honor, but immediately become the busiest man you have met in a week, having a number of important cases to look after elsewhere," said an official of the State Executive Department to-day in discussing the appointments which have been made for that court in the past few months.

Little Known at Frankfort.

Judge Carnes, who has become known to the people of the whole State, is said at the Executive Department to be a man of character and of experience. Adjutant Gen. Lawrence, who saw him for the first time at Jackson a day or two ago, says he was favorably impressed with him. Aside from this little is known of him here.

Before he was ever selected to sit as special Circuit Judge he had presided over the Owen Circuit Court. He was first appointed by Gov. Beckham on February 7, 1906, as special Judge of the Boone Circuit Court to sit in cases of Black vs. Dempsey and Dempsey vs. Black, pending in that court. Again, on November 22 last, he was appointed special Judge of the Kenton Circuit Court to preside in a case of the Kentucky Baptist Educational Society against the Chesapeake and Ohio Railway Company. Then, on December 13, following, he was named to sit in the Breathitt Circuit Court in the cases of the Commonwealth against James Hargis, Elbert Hargis, William Britton, John Smith and John Abner,

charged with complicity in the murder of Dr. Cox at Jackson.

Hard to Get Judges.

In securing the services of four Judges at different times in Breathitt county murder cases, Gov. Beckham has called on more than twenty members of the bar in many counties of the State. His appointees were Judge John L. Dorsey, of Henderson; Judge Theodore G. Lewis, of Leslie county, now a regular Circuit Judge; Judge H. G. Botts, of Owen county, and Judge Carnes, of Grant county. Regular Judges who have sat in a few murder cases of that court or in cases in which the venue was changed from Breathitt county are Judge Watts Parker, of Fayette county; Judge J. J. Osborne, of Harrison county, and Judge Robert Riddell, of the Breathitt Judicial district.

Judge Dorsey was appointed in the cases of James Hargis, Edward Calahan, B. F. French, John Abner and John Smith. He transferred them to Lee county, where he held court for the trial of Hargis. Judge Lewis was appointed to try Hargis in one of his cases, but resigned after hearing a motion for bail. Judge Botts was appointed to preside in the trial of Curtis Jett at Cynthiana, in which Jett was given another life sentence, for the assassination of Cockrell. Judge Parker presided in the trial of Hargis at Lexington, which case is now on appeal before the Court of Appeals on the question of instructions to the jury. Judge Osborne presided in the trial of Curtis Jett and Tom White, for the murder of Marcum, and for which they were sentenced to life imprisonment.

BYRD TO CONFER WITH THE GOVERNOR.

Will Take Up Situation in Jackson and Discuss Need for Troops.

Frankfort, Ky., Jan. 13.—[Special.]—Attorney A. Floyd Byrd, of counsel for the prosecution in the James Hargis case, called at the State Executive Department Monday morning for a conference with Gov. Beckham relative to the situation in the town of Jackson. Judge Carnes is also expected to reach here Monday. Adjutant General Lawrence sent some word to the executive to-day, going over the situation in Jackson and what he learned while there. The Governor will not determine whether troops shall go to Jackson until after the hearing is had before the Court of Appeals.

PREPARATIONS READY FOR STATE'S SUIT

ILLINOIS TO ASK ILLINOIS CENTRAL FOR AN ACCOUNTING.

WAS FOUND IMPRACTICABLE TO COMPUTE INDEBTEDNESS.

WILL BE TRIED IN FEBRUARY.

Springfield, Ill., Jan. 13.—Preparations were completed early this evening by Illinois State officials for the suit to be filed by the Attorney General's department against the Illinois Central Railroad Company. Action will probably be instituted to-morrow. The proceeding will be filed in the Supreme Court and will be in the nature of a bill for an accounting. According to the State's contention, this proceeding is necessary by reason of the magnitude of the accounts, the difficulty of examination of the complicated records of the railroad and the extent of the computations.

No specific amount of indebtedness is mentioned in the bill of the petitioner, for the reason that it has been impracticable to compute the same. The bill is a voluminous document, covering 125 pages of printed matter. W. H. Boyer, of the State, former Assistant Attorney General, B. F. Lincoln, of Ottawa, and Maj. J. H. Widmer, of Ottawa, prepared the case and will have charge of the prosecution. The rule of the Supreme Court stipulates that a bill must be filed at least twenty days before the opening day of court term, to insure the docketing of the case for that term. The bill will bring the case on the docket for the February term of court.

ROLLS FROM HIS CAR ALONG WITH TRUNK

BAGGAGEMAN'S WRISTS ARE MASHED AND HEAD BARELY ESCAPES.

Paducah, Ky., Jan. 13.—[Special.]—When the baggage man, E. H. Blankenship, was trying to push a heavy trunk from his car to the platform, at the Union depot this morning, he lost his balance and fell sprawling to the platform with his arms outspread. The trunk narrowly missed his head and broke both his wrists. He was taken to his home near Louisville on his train.

JUMPS INTO RIVER TO PUT OUT FLAMES

EVANSVILLE MAN'S CLOTHES CATCH FIRE FROM BLAZING BENZINE.

Evansville, Ind., Jan. 13.—[Special.]—Edward Schoettlin, while carrying a can of benzine, had his clothing catch fire and would have burned to death had not he jumped into the Ohio river and extinguished the flames.

HANGS ABOUT NEGRO PROBLEM

Chance For Defeat of Oklahoma Statehood.

Roosevelt May Not Approve Separation of Races.

Stone and Tillman Appealed to For Advice.

WORK MAY GO FOR NAUGHT.

Oklahoma City, Jan. 13.—[Special.]—Homer Bassford, a special staff correspondent of the St. Louis Republic, wiring his paper to-night, says:

Will President Roosevelt refuse to proclaim the Constitution of the new State of Oklahoma on account of the race question?

This is the newest problem down here, and Senator Stone and Senator Tillman have been appealed to. It is a question that is concerning the makers of the Constitution, as well as the innocent bystander, who will be hurt by the explosion if one should come. The chief men of the new State of Oklahoma think that there is yet a grave chance for the defeat of Statehood. Like many public questions of this hour, this one hangs about the negro problem.

The names of Senator Culbertson, Senator Morgan and John Sharp Williams are involved also.

President's Power.

Under the act of Congress providing for a constitutional convention, now in session at Guthrie, it is provided that instead of an approval by Congress the new State's Constitution requires only approval and proclamation by the President. This President will, of course, be Roosevelt, since the Constitution is now almost ready for the finishing touches. The position of Mr. Roosevelt on the race question requires no elaboration here. Now to the central point.

The constitutional convention at Guthrie, through the vote of the people, is pledged to certain forms of race discrimination—notably the separation of the whites and blacks in railways. In the public stations and in the street cars, of which there are many in the new State. It is stated here to-night on the best of authority that Senator Culbertson, John Sharp Williams and Senator Morgan have privately advised the constitutional convention that the President will not sign a constitutional provision for a separation of blacks and whites.

One leader has just said that two constitutions will be sent to Mr. Roosevelt, thus putting the question up to him and the burden upon him. It is a matter of grave doubt, however, that such a double constitution could be legally presented.

See Utter Defeat.

When the makers of the Constitution at Guthrie place the enabling act and the well-known views of the President by the side of the Constitution containing a clause putting blacks and whites apart, they feel that the future holds utter defeat for the new plan of Statehood for three million and a half of people who have waited years for that boon. They see a continuance of Federal authority over the Indian country and another appointed administration for the Oklahoma side of the new State.

The situation has become so acute that the Hon. M. Prentiss, a member of the Executive Committee of the Democracy, this evening sent the subjoined telegram in duplicate to Senator Stone, of Missouri, and Senator Tillman, of South Carolina, asking their co-operation and advice.

The telegram is as follows: "The Democracy of this State has proclaimed in its campaign for delegates to the constitutional convention for full separation of the races; that separate coach and separate waiting room clauses would become a part of the Constitution."

There is now a widespread fear that if these clauses are inserted the President will refuse to sign the proclamation of admission. What would you advise? Shall we keep faith with the people and take the chance of Mr. Roosevelt's refusal to sign the proclamation, or break faith with 200,000 voters?"

Mr. Prentiss, who is one of the eminent lawyers of the two Territories, thinks that there is much doubt about the President's position. He says that he cannot very well believe that the President would allow the plagues of the delegates to the convention to go unconsidered, yet he cannot at the time, bring himself to believe that Mr. Roosevelt would so reverse himself as to proclaim statehood if the Constitution contains a clause of discrimination between the races. He has, accordingly, asked Stone, of Missouri, and Tillman, of South Carolina, for advice, which, if received, will be submitted to the Democratic members, which is practically the full membership of the Constitutional Convention.

It is freely asserted that Charles N.

Haskell, the big man who is at the head of the moving forces at Guthrie, is said to be opposed to the insertion of the separate coach and waiting-room clauses at this time, and it is rather likely that in the absence of better advice, he will prevail in his opinion.

Friends of Mr. Haskell say that if the clause is employed there can be no doubt as to what the President will do, and all of the great work of the Constitution makers will be for naught.

INAUGURATION TO BE HELD AT REGULAR TIME.

No Test to Be Made Now of Tennessee's Gubernatorial Succession.

Nashville, Tenn., Jan. 13.—[Special.]—It is believed that no test will be made of the gubernatorial succession, which was agitated yesterday.

It is understood that Speaker Tollett thinks the matter should be tested and finally settled, but he has no time to give to it now. The outlook is that the original plans for the inauguration will go forward without change.

CROWDED SLEEPER ON EDGE OF FILL

FAST C. AND O. PASSENGER IS WRECKED NEAR PARIS.

PULLMAN SAVED BY QUICK ACTION OF BRAKES.

PROMINENT MEN ON BOARD.

Paris, Ky., Jan. 13.—[Special.]—C. and O. passenger train No. 24, bearing many prominent Louisville and Lexington men, some of whom were accompanied by their wives, was wrecked at Hutchinson, seven miles from here, on the K. C. branch of the L. and N. to-night at 10 o'clock and two trainmen and one passenger injured, none seriously. One passenger coach rolled down a high embankment and was splintered. The next coach, in front, turned over, but did not go down the hill.

The sleeper was next to the baggage car, instead of being at the end of the train, and to this is due the fact that no more were injured. Had the sleeper gone down the embankment instead of the Pullman was crowded. It was just hanging over the edge when the train was stopped by the emergency brakes.

The wreck was caused by the frog in a switch tearing loose the trucks on the sleeper. Dragging the heavy truck, the sleeper was pulled on with the train, tearing up the track as it went, for a distance of 250 yards. The rear coach broke loose and toppled over. At the point where the wreck occurred the track runs on an embankment twenty-five feet high. The rear coach rolled down this. It was only one passenger, a negro woman.

On account of the washing away of two bridges on the main line of the C. and O. railroad between Lexington and Ashland, trains on the C. and O. are run from Lexington to Cincinnati via the regular C. and O. track to Ashland and the East. The wrecked train left Louisville at 6 o'clock and was on its way to Cincinnati.

In the sleeper were Col. Morris Belknap, Col. Harry Wessinger, Oscar Fenley and daughter and Mr. and Mrs. F. W. Lund, Jr., of Louisville.

The only persons in the rear coach were the flagman, the negro porter and a negro woman. All were injured. The train was badly torn up. A special train was made up and sent to take the passengers to Cincinnati.

FATAL ATTEMPT TO SIMULATE SUICIDE.

YOUNG MAN PRETENDS DISTRESS BECAUSE GIRL DOES NOT LOVE HIM.

Owensboro, Ky., Jan. 13.—[Special.]—After a young girl had said she did not love him, Herbert Price, aged eighteen, picked up a shotgun this evening and, it is thought, tried to simulate an attempt at suicide. The gun proved to be loaded and the discharge killed him. The tragedy occurred at the home of his father, J. S. Price, on Cherry street. Several young girls were in the room with the young man at the time. A Coroner's jury returned a verdict of accidental death.

BOMBARD HOUSE AND ASSAULT THE OWNER.

Evansville, Ind., Jan. 13.—[Special.]—Early this morning a gang of drunken men bombarded the home of Herman Byers, in Rosedale suburb of this city, and when Byers rushed out to defend his home he was struck over the head with a fence picket and seriously injured. Two alleged members of the gang are under arrest.

OHIO RIVER AGAIN ABOVE DANGER LINE.

Evansville, Ind., Jan. 13.—[Special.]—The Ohio river started to rise here to-night, standing at thirty-eight feet, which is three feet above the danger line. The Wabash and White rivers are above the danger line and rising rapidly. A bigger flood than that of last week is expected.

STAYED FIRST WITH FRIENDS

Katie Bryant Boarded at Thomas Hudgins' Home.

There Until She Entered Dr. Murphy's Establishment.

Police Positive As To Identity of Man Responsible.

ALL LARUE COUNTY AROUSED.

Katie Bryant, whose body was buried in the little cemetery at Buffalo yesterday, stayed at the boarding-house conducted by Thomas Hudgins, at 1030 West Main street, from the time she arrived in Louisville almost up to the moment when she applied for treatment at the office of Dr. Sarah J. Murphy, where she died two days later. The facts were established by statements made by Hudgins and his wife to Col. Sebastian Gunther, Chief of Police, yesterday afternoon. Mr. Hudgins told Col. Gunther that he did not connect the young woman, who had stayed at his boarding-house, with the one who lay five days unidentified at Boden's undertaking establishment until her name appeared in the newspapers. He was then undecided for a day as to what he ought to do.

She was alone when she knocked at the boarding-house at 10:30 the morning of January 3, within a few minutes after the train on which she came from Buffalo reached Louisville. She remained constantly in the house and had no visitors until the next morning at 8 or 8:30 o'clock. Most of the time she spent in the sitting-room with Mrs. Hudgins, who noticed nothing unusual either in her manner or her state of health. Hudgins and his wife formerly lived in Larue county within twelve miles of Buffalo, where Miss Bryant was born and grew to womanhood. It was due to this fact that, though she was not acquainted with them, she selected their house for a stopping place. Mr. Hudgins was well acquainted, however, with Miss Bryant's father, Mrs. Hudgins has relatives living in Buffalo, and the time Miss Bryant spent with her was passed in conversation about these and other people in the little Larue county town.

Mrs. Hudgins described accurately for the first time last evening to a reporter for the Courier-Journal the way the girl was dressed when she reached her house and when she left. She wore a red silk waist, a black-velvet skirt and a red velvet hat with black plumes. She also had a short, black silk coat. She carried a cardboard box or suit case and an umbrella which had a silver handle, part of which had been broken away. She explained to Mrs. Hudgins, who admitted her to the boarding-house, that she had expected to stop with relatives, whose names Mrs. Hudgins does not remember, but that she had lost the memorandum of the address and would have to find them through other friends.

Kept in House by Rain.

"She told me she had come to Louisville to buy some millinery supplies," said Mrs. Hudgins. "She said that her cousins—I believe she called them—had lived on Eighteenth street when she visited them during the fair last fall, but that they had moved and she had lost their address. It rained very hard most of the day Thursday and she did not try to go out until afternoon, but by the time she got herself ready it was raining so hard again that she said she would not try to go out, but, if I would keep her, would stay all night."

